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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) RM-
Table of Allotments)
FM Broadcast Stations)
(Cape Girardeau, Missouri))

To: Acting Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULE MAKING

Kevin G. Greaser (hereafter the "Petitioner"), by his attorney and pursuant to the provisions of Section 73.207 of the Commission's Rules and Regulations hereby respectfully requests that the FM Table of Allotments be modified as follows:

<u>CITY</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Cape Girardeau	264C, 275B	230A, 264C, 275B

Petitioner submits that the Commission has the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 204(b) and 0.283 of the Commission's Rules to make the proposed modification in the Table of Allotments. Thus, in support of this request, the following is submitted for the consideration of the Mass Media Bureau.

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I. TECHNICAL CONSIDERATIONS.

1. Attached hereto as Exhibit A is a Technical Statement prepared by RMF Associates. This statement demonstrates that FM Channel 230A can be allotted to Cape Girardeau, Missouri in conformity with the minimum distance separation requirements of Section 73.207(b)(1) and (3) from a site restriction at coordinates North Latitude 37-24-23 West Longitude 89-33-44. This reference point is located north of the city of Cape Girardeau, but is sufficiently close to the city to allow a Class A FM station to cover the community with a city-grade contour from that point.

2. Cape Girardeau is not located within 320 kilometers of either the United States Mexican or Canadian borders. Accordingly, the concurrence of Canada or Mexico is not required to be obtained by the Commission.

II. LEGAL CONSIDERATIONS

3. As noted previously, Cape Girardeau is a community that presently has two (2) FM channel allocations in the Table of Allotments. Accordingly, it is clear that Cape Girardeau is a "community" within the meaning of Section 73.207 of the Commission's Rules and Regulations.

4. Petitioner, or a group in which he is associated, will file an application to utilize the subject FM allotment in the event the Commission adopts this proposal. Should Petitioner's application be approved by the Commission, he will promptly place

an FM station into operation utilizing that allotment.

III. CONCLUSION

Wherefore, Petitioner respectfully requests that the FM Table of Allotments be modified as noted previously to assign FM Channel 230A to Cape Girardeau, Missouri.

Respectfully submitted,

Kevin Greaser

By: 

Jeffrey D. Southmayd

His Attorney

Southmayd & Miller
1220 Nineteenth Street, N.W.
Suite 400
Washington, D.C. 20036
(202) 331-4100

Date: August 26, 1994

RMF ASSOCIATES



TECHNICAL STATEMENT

IN SUPPORT OF

PETITION FOR RULEMAKING
=====

TO ADD CHANNEL 230A
AT CAPE GIRARDEAU, MISSOURI

PREPARED FOR

KEVIN G. GREASER
2437 HORSESHOE RIDGE
CAPE GIRARDEAU, MISSOURI 63701
(314) 334-4705

MARCH 15, 1994



CERTIFICATION OF CONSULTANT

The firm of RMF Associates, Technical Consultants, with offices at 1522 Independence Street, Cape Girardeau, Missouri, has been retained for the purpose of preparing the technical data forming this report.

The report has been prepared by the undersigned or under his direct supervision and his qualifications are a matter of record before the Federal Communications Commission.

I do declare under penalty of perjury that the contents of this report are true and accurate to the best of my knowledge and belief or upon information or facts, and as to these facts, I believe them to be true.

RMF Associates

By Joe L. Bellis
Joe L. Bellis, Consultant

March 15, 1994



TECHNICAL STATEMENT IN SUPPORT OF
PETITION FOR RULEMAKING TO ADD CHANNEL 230A
AT CAPE GIRARDEAU, MISSOURI

This statement has been prepared in support of a Petition for Rulemaking by Kevin G. Greaser. The petitioner is requesting the addition of Channel 230A at Cape Girardeau, Missouri. The proposed addition will not require a channel change for any other allotment, pending application or licensed station. As a consequence of this rulemaking, Kevin G. Greaser will immediately file for the construction permit to construct the station.

Exhibit A is an allocation study for Channel 230A based on the transmitter site reference point. The co-ordinates of the reference point are:

North Latitude 37-24-23
West Longitude 89-33-44

The reference point is located north of the city limits of Cape Girardeau, Missouri on an existing FAA approved communications tower. Adequate flexibility exists in the selection of a suitable location meeting the City Grade Coverage requirements of the Rules, as well as the restrictions imposed by other stations and allotments.

RMF ASSOCIATES



The study shows that the proposed allotment would be in full compliance with the spacing requirements of Section 73.207(b) of the Rules.

The change in the FM Table of Allotments proposed by Kevin G. Greaser is as follows:

<u>CITY</u> =====	<u>PRESENT</u> =====	<u>DELETE</u> =====	<u>ADD</u> =====	<u>PROPOSED</u> =====
CAPE GIRARDEAU, MISSOURI	264C	----	230A	230A
	275B	----	----	----

The proposed channel change is for the addition of a channel to the FM Table of Allotments and therefore would be subject to competing applications for the facilities.

The proposed channel will provide for additional full time aural service to the Cape Girardeau, Missouri area.

March 15, 1994

RMF ASSOCIATES



EXHIBIT A

RMF ASSOCIATES
1522 INDEPENDENCE ST. CAPE GIRARDEAU MO 63701

CAPE AVAIL STUDY
KEVIN GREASER, ET.AL.

REFERENCE
37 24 23 N
89 33 44 W

CLASS A
Current rules spacings
CHANNEL 230 - 93.9 MHz

DISPLAY DATES
DATA 01-26-94
SEARCH 03-08-94

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
WMIXFM	231B	Mount Vernon	IL	27.7	120.92	113.0	7.92
KSDFM	229C1	St. Louis	MO	332.3	145.59	133.0	12.59
KSPQ	230C1	West Plains	MO	257.9	212.88	200.0	12.88
WKTG.A	230C2	Madisonville	KY	91.7	183.09	166.0	17.09
WKTG	230C2	Madisonville	KY	91.9	183.61	166.0	17.61
KYRX	284A	Chaffee	MO	187.9	27.89	10.0	17.89
WKYQ.C	227C1	Paducah	KY	115.3	93.00	75.0	18.00
WKYQ	227C1	Paducah	KY	117.3	94.83	75.0	19.83
KKLR	233C1	Poplar Bluff	MO	227.3	105.41	75.0	30.41
AP230	230A	Gosnell	AR	190.2	158.65	115.0	43.65
ALOPEN	230A	Gosnell	AR	192.6	163.33	115.0	48.33
AP230	230A	Gosnell	AR	192.9	164.66	115.0	49.66